

AMENDMENTS TO THE CLAIMS

1. – 25. **(Canceled)**

26. **(Previously Presented)** The oil-in-water emulsion of claim 27, wherein the organic solvent is selected from the group consisting of an aromatic hydrocarbon, an aliphatic hydrocarbon, a halogenated hydrocarbon, a lower alcohol, an acetate, an ether and a ketone.

27. **(Currently Amended)** An oil-in-water emulsion comprising a Bacillus Calmette-Guerin cell wall skeleton encapsulated in an oil wherein the emulsion is dispersed without any visible crude particles and which have an average fine particle size in the range of 0.1 μ m to 20 μ m, that have a diameter of 100 μ m or more, is negative for agglutination reaction with lectin,– and is obtained by the following steps:

- (a) stirring a mixture of a Bacillus Calmette-Guerin cell wall skeleton, an oil, and an organic solvent to disperse the Bacillus Calmette-Guerin cell wall skeleton in the mixture;
- (b) evaporating off the organic solvent to form an oil wherein the Bacillus Calmette-Guerin cell wall skeleton is homogeneously dispersed, or an oil droplet wherein the Bacillus Calmette-Guerin cell wall skeleton is encapsulated in the oil; and then,
- (c) adding an aqueous solution containing a surfactant thereto, and emulsifying the mixture.

28. **(Previously Presented)** The oil-in-water emulsion of claim 27, wherein the organic solvent is ethanol or toluene.

29. **(Previously Presented)** The oil-in-water emulsion of claim 27 or 28, wherein the oil is squalane.